

AO 440 (Rev. 01/09) Summons in a Civil Action (Page 2)

Civil Action No. 11-827-SLR

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This summons for *(name of individual and title, if any)* KYOCERA COMMUNICATIONS, INC.  
was received by me on *(date)* 11/28/11

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_, or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* PAUL MATTHEWS (PROCESS AGENT), who is  
designated by law to accept service of process on behalf of *(name of organization)* KYOCERA COMMUNICATIONS, INC.  
C/O CORPORATION SERVICE CO. 2711 CENTERVILLE RD. WILMINGTON, DE on *(date)* 11/28/11, or

☐ I returned the summons unexecuted because \_\_\_\_\_, or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: 11/28/11

1052  
\_\_\_\_\_  
*Server's signature*

KEVIN S. DUNN  
\_\_\_\_\_  
*Printed name and title*

PO BOX 1360 WILMINGTON, DE 19899  
302-475-2600  
\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

\_\_\_\_\_

AO 440 (Rev. 12/09) Summons in a Civil Action

**United States District Court  
for the  
District of Delaware**

CyberFone Systems, LLC,

Plaintiff,

v.

Cellco Partnership, *et al.*,

Defendants.

Civil Action No. 11-827-SLR

TRIAL BY JURY DEMANDED

**Summons in a Civil Action**

To: Kyocera Communications, Inc.  
c/o Corporation Service Company  
2711 Centerville Road, Suite 400  
Wilmington, Delaware 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Richard D. Kirk  
Stephen B. Brauerman  
Bayard, P.A.  
222 Delaware Avenue, Suite 900  
Wilmington, Delaware 19801  
302-655-5000 (phone)  
302-658-6395 (fax)

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

NOV 23 2011

DATE

  
DEPUTY CLERK'S SIGNATURE